

_____ BILL NO. _____

INTRODUCED BY _____
(Primary Sponsor)

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING REPORTING REQUIREMENTS FOR CONTRIBUTIONS TO AND EXPENDITURES BY INCIDENTAL POLITICAL COMMITTEES; AMENDING SECTION 13-37-226, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Incidental political committees -- reporting requirements -- definition.

(1) When an incidental political committee spends more than a total of \$5,000 to support or oppose one or more candidates or ballot issues:

(a) all income to the incidental political committee, irrespective of whether the money was earmarked to support or oppose one or more candidates or ballot issues, must be reported pursuant to 13-37-229;

(b) all expenditures by the incidental political committee must be reported pursuant to 13-37-230; and

(c) reports must be filed by the times specified for an independent committee pursuant to 13-37-226(5) and cover the time periods specified pursuant to 13-37-228.

(2) For purposes of this section, "incidental political committee" means an entity not specifically organized or maintained for the primary purpose of supporting or opposing one or more candidates or ballot issues or of influencing elections but that makes an expenditure to support or oppose one or more candidates or ballot issues or to influence an election.

Section 2. Section 13-37-226, MCA, is amended to read:

"13-37-226. Time for filing reports. (1) Candidates for a state office filled by a statewide vote of all the electors of Montana and political committees that are organized to support or oppose a particular statewide candidate shall file reports:

(a) quarterly, due on the fifth day following a calendar quarter, beginning with the calendar quarter in which funds are received or expended during the year or years prior to the election year that the candidate expects to be on the ballot;

(b) on the 10th day of March and September in each year that an election is to be held and on the 15th

1 and 5th days preceding the date on which an election is held and within 24 hours after receiving a contribution
2 of \$200 or more if received between the 10th day before the election and the day of the election;

3 (c) not more than 20 days after the date of the election; and

4 (d) on the 10th day of March and September of each year following an election until the candidate or
5 political committee files a closing report as specified in 13-37-228(3).

6 (2) Political committees organized to support or oppose a particular statewide ballot issue shall file
7 reports:

8 (a) quarterly, due on the fifth day following a calendar quarter, beginning with the calendar quarter in
9 which the text of the proposed measure is submitted for review and approval pursuant to 13-27-202 during the
10 year or years prior to the election year that an issue is or is expected to be on the ballot;

11 (b) on the 10th day of March and on the 10th day of each subsequent month through September;

12 (c) on the 15th and 5th days preceding the date on which an election is held;

13 (d) within 24 hours after receiving a contribution of \$500 or more if received between the 10th day before
14 the election and the day of the election;

15 (e) within 20 days after the election; and

16 (f) on the 10th day of March and September of each year following an election until the political
17 committee files a closing report as specified in 13-37-228(3).

18 (3) Candidates for a state district office, including but not limited to candidates for the legislature, the
19 public service commission, or a district court judge, and political committees that are specifically organized to
20 support or oppose a particular state district candidate or issue shall file reports:

21 (a) on the 12th day preceding the date on which an election is held and within 48 hours after receiving
22 a contribution of \$100 or more if received between the 17th day before the election and the day of the election.

23 The report under this subsection (3)(a) may be made by mail or by electronic communication to the clerk and
24 recorder and the commissioner of political practices.

25 (b) not more than 20 days after the date of the election; and

26 (c) whenever a candidate or political committee files a closing report as specified in 13-37-228(3).

27 (4) Candidates for any other public office and political committees that are specifically organized to
28 support or oppose a particular local issue shall file the reports specified in subsection (3) only if the total amount
29 of contributions received or the total amount of funds expended for all elections in a campaign, excluding the filing
30 fee paid by the candidate, exceeds \$500, except as provided in 13-37-206.

(5) For the purposes of this subsection, a committee that is not specifically organized to support or oppose a particular candidate or ballot issue and that receives contributions and makes expenditures in conjunction with an election is an independent committee. For the purpose of reporting, a political party committee is an independent committee. An independent committee shall file:

(a) a report on the 12th day preceding the date of an election in which it participates by making an expenditure;

(b) a report not more than 20 days after the date of the election in which it participates by making an expenditure; and

(c) a report on a date to be prescribed by the commissioner for a closing report at the close of each calendar year.

(6) ~~The~~ Subject to the provisions of [section 1], the commissioner may promulgate rules regarding the extent to which organizations that are incidental political committees shall report their politically related activities in accordance with this chapter.

(7) All reports required by this section must be complete as of the fifth day before the date of filing as specified in 13-37-228(2) and this section."

NEW SECTION. **Section 3. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 13, chapter 37, part 2, and the provisions of Title 13, chapter 37, part 2, apply to [section 1].

NEW SECTION. **Section 4. Saving clause.** [This act] does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before [the effective date of this act].

NEW SECTION. **Section 5. Effective date.** [This act] is effective on passage and approval.

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